

EXHIBIT A



COURT 71
Appeal No.

A3/2009/1794

FRIDAY 6TH NOVEMBER 2009

Order No. 14262

IN THE COURT OF APPEAL

ON APPEAL FROM THE HIGH COURT OF JUSTICE
CHANCERY DIVISION
HC09C01612

BEFORE THE MASTER OF THE ROLLS
LORD JUSTICE LONGMORE
And LORD JUSTICE PATTEN

B E T W E E N

PERPETUAL TRUSTEE COMPANY LIMITED

Claimant/
RESPONDENT

- and -

1) BNY CORPORATE TRUSTEE SERVICES LIMITED

First Defendant

2) LEHMAN BROTHERS SPECIAL FINANCING INC

Second Defendant/
APPELLANT

UPON THE APPEAL by the Appellant from declaration numbered 2(3) in the Order of the Chancellor of the High Court dated 28th July 2009 ("the Appeal")

AND UPON HEARING Counsel for the Appellant and Counsel for the Respondent

IT IS ORDERED THAT:

- 1) The Appeal shall be dismissed.
- 2) The Appellant's application for leave to appeal to the Supreme Court shall be dismissed.
- 3) The Appellant shall pay the Respondent's costs of the Appeal, such costs to be the subject of a detailed assessment on the standard basis, if not agreed.
- 4) The Appellant shall pay interest on the Respondent's costs of the Appeal
(a) from the date of payment of such costs to 6 November 2009 at the rate of base rate + 1% and (b) from 6 November 2009 at the Judgment Rate.
- 5) The Appellant shall within 14 days pay the Respondent the sum of £120,000 as a payment on account of the Respondent's costs referred to in paragraph 3 above.

By the Court

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CHANCERY DIVISION

PERPETUAL TRUSTEE COMPANY LIMITED

- and -

- 1) BNY CORPORATE TRUSTEE SERVICES LIMITED
- 2) LEHMAN BROTHERS SPECIAL FINANCING INC

ORDER

Copies to:

Chancery Division
Room TM 5.04
Thomas More Building
Royal Courts of Justice
Strand
London WC2A 2LL

Lovells
DX 57
London/ Chancery Lane
Ref: K1127/04794

Messrs Weil Gotshal Manges
DX 124402
London/City
Ref: MS/GB/58399.0003

Messrs Sidley Austin LLP
DX 580
London City
Ref: REP/SJF/41442-30020
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* This order was drawn by Mr D Fallon (Associate) to whom all enquiries regarding this order should be made. When communicating with the Court please address correspondence to Mr D Fallon, Civil Appeals Office, Room E307, Royal Courts of Justice, Strand, London WC2A 2LL (DX 44450 Strand) and quote the Court of Appeal reference number. The Associate's telephone number is 020 7073 4831